

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - CAPTAIN COOK HEIGHTS SUBDIVISION 2021 ADDITION

KPB File No.	2021-135
Plat Committee Meeting:	October 11, 2021
Applicant / Owner:	Sharon Blades of Kasilof, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Clam Gulch

Parent Parcel No.:	137-300-22
Legal Description:	Lot 35 Captain Cook Heights Subdivision, KN 79-85.
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On-Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 2.2 acre lot into two lots that will be 1 acre and 1.2 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located south of the Clam Gulch State Recreation Area. Access to the subdivision is by Clam Gulch Road. Clam Gulch Road is maintained by the State DOT and is located south of mile 117 of the Sterling Highway. The lots will be accessed from Resolution Road, a 60 foot wide borough maintained right of way. Resolution Road loops to connect with Discovery Drive, a 60 foot wide borough maintained right of way, which then connects to Clam Gulch Road.

Clam Gulch Road, Resolution Road, and Discovery Drive define the block. Due to the shape of the block, the lengths along Resolution Road and Clam Gulch Road exceed allowable lengths. The parent lot is a pie shaped piece located along a curve. Due to the location of the lot, the shape of the lot, and the existing improvements, obtaining additional dedication to improve the block will be difficult. ***Staff recommends the plat committee concur that an exception is not required, as any dedications granted will not improve the block.***

KPB Roads Dept. comments	
SOA DOT comments	No comment

Site Investigation: There are no low wet areas present within the proposed subdivision. Contours are depicted on the preliminary plat and the plat note indicates no grades exceed 15 percent.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Carver, Nancy Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
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Staff Analysis The proposed plat will divide one parcel into two parcels that will be 1 acre and 1.2 acres in size. The parent plat, Captain Cook Heights Subdivision KN 79-85, created the current lot configuration. The parent plat was a subdivision of government lots and aliquot portions of land.

The design of the lots comply with 20.30.190(A), 3:1 depth to width ratio. Lot 35A is 3:1 and Lot 35B is 2.5:1.

A soils report will be required and an engineer will sign the final plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

Utility Easements The parent plat granted the full 20 foot building setback as utility easements. This is being carried over and is depicted and noted in plat note 1. Additional easements were granted by the parent plat, a 10 foot by 30 foot anchor easement and a 10 foot utility easement along the northern boundary. Both of those easements are depicted and labeled. **Staff recommends** the label include that the easements were granted by KN 79-85 or refer to a plat note with the information.

An additional easement has been granted by recorded document to Homer Electric Association. The easement has no definite location and should be noted within a plat note.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 56320 RESOLUTION RD Existing Street Names are Correct: Yes List of Correct Street Names: RESOLUTION RD Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 56320 RESOLUTION RD will remain with LOT 35B.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Taylor, Bryan

	There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Bruns, Matthew Comments: No concerns from Assessing Dept.

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

- Spell out the full name of the parent subdivision, "Captain Cook Heights Subdivision." Subdivision may be abbreviated if needed for space.
- Add "Subdivision" to the subdivision name, "Captain Cook Heights Subdivision 2021 Addition". Subdivision may be abbreviated due to spacing.

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

Staff recommendation:

- Revise C.G Wayside to Per Osmars Way or Clam Gulch Road.
- The label for the lake should be removed. Staff did not find reference to that lake name in KPB GIS data or within "Dictionary of Alaska Place Names." This may be a local name that has not been officially named. Depiction of the lake may remain, remove the name label.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments: A soils analysis report is required and a licensed engineer will need to sign the plat.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Provide a plat note to reference the easement of record granted to Homer Electric Association, Inc. on June 5, 1968 in document located in Book 31 Page 147, KRD with no definite location disclosed.*

RECOMMENDATION:

STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT